

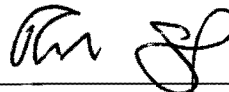
**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Nancy L. Davis,)	
)	
Plaintiff,)	Civil Action No. 1:16-102-RMG
)	
vs.)	
)	
Carolyn W. Colvin, Acting Commissioner of Social Security,)	ORDER
)	
Defendant.)	
)	
_____)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Supplemental Security Income ("SSI"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation on November 17, 2016 recommending that the decision of the Commissioner be reversed and remanded to the agency because of a flawed RFC assessment and a failure of the Appeals Council or any fact finder to weigh and reconcile new and material information submitted to the Appeals Council, as required under *Meyer v. Astrue*, 662 F.3d 700, 705 (4th Cir. 2011). (Dkt. No. 26 at 26-30). The Commissioner has filed a response to the Magistrate Judge's Report and Recommendation indicating that she will file no objections. (Dkt. No. 29). The Court has reviewed the Report and Recommendation and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the

order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. M. Gergel', is written above a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
December 5, 2016